



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

August 4, 2021

SO ORDERED

VIA ECF

Hon. George B. Daniels  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

The initial conference is adjourned from  
September 8, 2021 to October 13, 2021 at 9:30 a.m.

AUG 09 2021

Re: *Nagpal v. Kendall, et al.*, No. 21 Civ. 1777 (GBD)

*George B. Daniels*  
GEORGE B. DANIELS  
UNITED STATES DISTRICT JUDGE

Dear Judge Daniels:

This Office represents the government in the above referenced action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services ("USCIS") to adjudicate her Petition for Alien Entrepreneur (Form I-526). I write to respectfully request a sixty-day extension of time for the government to respond to the complaint, *i.e.*, from August 9 to October 8, 2021. If the Court grants the extension, the government also respectfully requests that the initial conference now scheduled for September 8, 2021, be adjourned until after the extended date for the response.

The extension is requested because the plaintiff's I-526 petition is based on an investment in an economic regional center under the EB-5 Immigrant Investor Program and, as previously noted, Congress has not extended the statutory authorization for that program, which expired at the end of the day on June 30, 2021. *See* ECF No. 20. The sixty-day extension will allow the parties time to monitor whether Congress will renew the statutory authorization and to assess the impact of such reauthorization (or lack thereof) on this litigation. Should Congress renew the statutory authorization for the Regional Center Program prior to the expiration of the sixty-day period, the government will promptly notify the Court.

This is the government's fourth request to extend of the date to respond to the complaint and adjourn the initial conference.<sup>1</sup> The plaintiff consents to these requests.

I thank the Court for its consideration of these requests.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

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cc: Counsel of Record (via ECF)

<sup>1</sup> The government requested extensions on May 5, June 4, and July 1, 2021. *See* ECF Nos. 16, 18, 20. The Court granted these requests. *See* ECF Nos. 17, 19, 21.